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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,360	06/09/2006	Akihiko Sugiyama	040447-0283	1660
22428	7590	11/16/2011	EXAMINER	
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			BORSETTI, GREG	
		ART UNIT		PAPER NUMBER
			2626	
			MAIL DATE	
			11/16/2011	
			DELIVERY MODE	
			PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/582,360	SUGIYAMA ET AL.	
	Examiner	Art Unit	
	GREG BORSETTI	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 September 2011.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) Claim(s) 60,62-67 and 69-77 is/are pending in the application.
 - 5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) Claim(s) _____ is/are allowed.
- 7) Claim(s) 60,62-67 and 69-77 is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>7/12/2011</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Response to Amendment

1. Claims 60, 62-67, 69-77 are pending.
2. Claims 61 and 68 have been canceled.
3. Claims 60, 62, 67, 69-70, 73-77 have been amended.
4. The objection to the abstract has been withdrawn in view of the amendments received 9/28/2011.
5. The 35 USC 102 rejections have been withdrawn in view of the amendments received 9/28/2011.

Response to Arguments

6. Applicant's arguments filed 9/28/2011 have been fully considered but they are not persuasive.
7. Applicant argues "First, Gabai and Papineni are not analogous art. The MPEP provides that "[t]he examiner must determine what is 'analogous prior art' for the purpose of analyzing the obviousness of the subject matter at issue." § 2141.01 (a). Analogous art must be "either (1) in the field of applicant's endeavor or (2) be reasonable pertinent to the particular problem with which the applicant was concerned." M.P.E.P. § 2141 (II)(A)." (Remarks, Page 12, ¶ 4) The Examiner disagrees. The Office action addressed reasoning as to why the both Gabai and Papineni are analogous art. The Office action explicitly stated "Gabai and Papineni are analogous art because both deal with dialog interaction between a human and machine." Therefore, Gabai and

Papineni are both analogous prior art because both pertain to the same field of endeavor, which is in the field of conversational dialogue agents. Applicant has noted certain characteristics of both Gabai and Papineni that characterize their differences. However, this does not detract from the fact that both Gabai and Papineni both are related to human machine interaction through conversational dialogue. Therefore, Gabai and Papineni are considered to be analogous art and the argument is not considered to be persuasive.

8. Applicant further argues "The present application is directed to an information processing system. See, e.g., Abstract. Gabai is directed to "methods and apparatus for integrating interactive toys with interactive television and cellular communication systems." Gabai, Abstract. Papineni is directed to a system of conversant interaction. Papineni, Abstract. Therefore, Gabai and Papineni are not in the same field of endeavor of the present application." (Remarks, Page 12, ¶ 5) The Examiner disagrees for the above reasons.

9. Applicant further argues "Furthermore, Gabai and Papineni are not reasonable pertinent to the particular problem with which the present application was concerned. The object of the present application is to provide an information process system "which can reproduce not only the result of information processing, but also information other than the result." Present Application, [0017]. In contrast, Gabai aims at allowing "toy owners who do not have available a personal or other computers to operate interactive toys." Gabai, Column 3, Lines 32-39. Papineni tries to provide a "dialog manager which is more versatile in interacting a user," which "can respond[] to information on a wide

range of topics in natural language and is easily adaptable to new tasks," and which can "interact[] with a single user on a plurality of topics." Papineni, Column 2, Lines 66-67; Column 3, Lines 1-5. Thus, Gabai and Papineni are not reasonable pertinent to the particular problem with which the present application was concerned. Therefore, Gabai and Papineni are not analogous art." (Remarks, Page 13, ¶ 1) Although the above argument is rendered moot by the fact that Examiner disagrees over whether Gabai and Papineni are considered to be in the same field of endeavor. However, the Examiner further disagrees over whether the Gabai and Papineni are reasonably pertinent to the problem in which the applicant was concerned. In the case of Papineni, Applicant admits that the Papineni is directed to conversational dialog through a dialog manager. Gabai, however, is alleged to be exclusively directed at allowing toy owners who do not have available a personal or other computers to operate interactive toys. However, Gabai's toy has many applications, such as in Fig. 51 where the toy converses with a child through conversational dialog. Therefore, Gabai and Papineni are considered to also be pertinent to the particular problems in which the applicants were concerned. The argument is not considered to be persuasive.

10. Applicant further argues "Secondly, even assuming Gabai and Papineni are analogous art, the Office Action does not provide a proper rationale that supports a conclusion of obvious. In particular, the Office Action does not provide any proper teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to combine Gabai and Papineni to arrive at the present application." (Remarks, Page 13, ¶ 2) The Examiner disagrees. The Office action cited, "Gabai and Papineni

are analogous art because both deal with dialog interaction between a human and machine. Therefore, it would have been obvious to someone of ordinary skill in the art at the time of the invention to apply the confirmations/clarifications of Papineni with the base process of dialog interaction in Gabai because the result would have been predictable in providing a machine/user dialog interaction where the machine and user have a mutual understanding of the current dialog state. Therefore, it would have been obvious to someone of ordinary skill in the art at the time of the invention was made to combine Papineni with Gabai." Gabai and Papineni have been established as being analogous art. Furthermore, Papineni (which provides confirmations/clarifications to the respective dialog state) was combined with the base dialog process (as taught by Gabai) such that the user and machine have a mutual understanding of the current dialog state (achieved through the confirmation/clarifications of Papineni). This, in itself, is considered to be sufficient motivation for combination since the Office action specifically put forth a motivation to combine (to ensure that the user and machine have a mutual understanding of the current dialog state) for the combination. Furthermore, the combination to combine is expressly acknowledged as suitable under MPEP 2141, section III, "RATIONALES TO SUPPORT REJECTIONS UNDER 35 USC 103". Rationale (D) was applied using the above motivation and is considered to provide a sufficient legal conclusion of obviousness to support a rejection under 35 USC 103. Therefore, the argument is not considered to be persuasive.

11. Applicant further argues "In the rejection of claim 60, the Office Action states that "[i]t would have been obvious to someone of ordinary skill in the art at the time of the

invention to apply the confirmations/clarifications of Papineni with the base process of dialog interaction in Gabai because the result would have been predictable in providing a machine/user dialog interaction where the machine and user have a mutual understanding of the current dialog state." Office Action, at 17. However, as discussed previously, Gabai is directed to interactive toys that can integrate with interactive television and cellular communication systems. There is no teaching, suggestion, or motivation in either Gabai or Papineni to suggest that combining interactive toys with a conversant interaction system would lead to present application's information processing system." (Remarks, Page 13, ¶ 3) The Examiner disagrees. In response to applicant's argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). In this case, Gabai or Papineni are established as analogous art. The combination to combine is expressly acknowledged as suitable under MPEP 2141, section III, "RATIONALES TO SUPPORT REJECTIONS UNDER 35 USC 103". Rationale (D) was applied using the above motivation and is considered to provide a sufficient legal conclusion of obviousness to support a rejection under 35 USC 103. Therefore, the argument is not considered to be persuasive.

12. Applicant further argues "The MPEP provides that when establishing a *prima facie* case of obviousness, "the key to supporting any rejection under 35 U.S.C. § 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious." M.P.E.P. § 2142. The Office Action only provides a conclusory statement and thus does not provide clear articulation of the reason why present application would have been obvious." (Remarks, Pages 13-14) The Examiner disagrees for the same reasons as described above.

13. Applicant further argues "Further, "[i]t is difficult but necessary that the decisionmaker forget what he or she has been taught..., about the claimed invention and cast the mind back to the time the invention was made..., to occupy the mind of one skilled in the... art." M.P.E.P. § 2141.01 (III) (citations omitted). Here, it is impermissible hindsight to combine features in Gabai with features in Papineni when no proper rationales to support a conclusion of obvious is made in the Office Action." (Remarks, Page 14, ¶ 2) (Remarks, Page 14, ¶ 2) The Examiner disagrees with this statement. The combination was not absent a proper rationale. As is stated above, Gabai and Papineni were analogous art. Additionally, the rationale for combining is that Papineni (which provides confirmations/clarifications to the respective dialog state) was combined with the base dialog process (as taught by Gabai) such that the user and machine have a mutual understanding of the current dialog state (achieved through the confirmation/clarifications of Papineni). This, in itself, is considered to be sufficient motivation for combination since the Office action specifically put forth a motivation to combine (to ensure that the user and machine have a mutual understanding of the

current dialog state) for the combination. The combination is not expressly hindsight since Papineni provides the requisite reasoning for combination with Gabai. Therefore, the argument is not considered to be persuasive.

14. Applicant further argues "Papineni teaches a conversation system (for example, see Column 14, Lines 55 to 57). In Papineni, "[m]essage construction by the dialog manager 40 involves interpolating variables, evaluating some standard functions provided by the dialog manager, and finally producing a piece of text to be passed to the target of the message." Column 9, Lines 12-16. For example, Papineni teaches that the computer responds "confirming purchase of one hundred Shares of vanguard index trust total stock market institutional shares. Please say yes or no (fund name from context)" to "I want to buy one hundred shares" of the human. Column 15, Lines 25-29. Therefore, Papineni does not disclose that the additional information is added before the beginning of the translated text or after the end of the translated text; rather, it merely teaches inserting text in a predefined script." (Remarks, Page 14, ¶ 4) The Examiner agrees that Papineni fails to disclose the above amended claim language.

15. Applicant further argues "Gabai teaches that a toy acts as translator of a spoken language. However, Gabai does not teach that the translated text is analyzed and the additional information selected by the analysis is added to the translated text." (Remarks, Page 14, ¶ 5) In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231

USPQ 375 (Fed. Cir. 1986). It is noted that the amended claim language was previously present in claim 61 (now canceled). The claim language in claim 16 was specifically addressed through a combination of Gabai in view of Papineni. Therefore, the argument is not considered to be persuasive.

16. Applicant further argues “Because Gabai and Papineni, either alone or in combination, do not disclose or suggest each and every element in claims 60, 67, 73, 74, or 75, Applicants respectfully request that the rejection be withdrawn and that independent claims 60, 67, 73, 74, and 75 be allowed. Further, because claims 62-64 depend from claim 60, claim 66 depends from claim 62, and claims 69, 70, and 72 depend from claim 67, claims 62-64, 66, 69, 70, and 72 should be allowed for at least the reasons set forth above without regard to further patentable features contained therein.” (Remarks, Pages 14-15) Applicant’s arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Applicant has not addressed the combination set forth in most recent Office action of Gabai in view of Papineni to teach the claim language. The argument is not considered to be persuasive.

17. Applicant further argues “Claim 65 depends from claim 62 which depends from independent claim 60. Claim 71 depends from independent claim 67. As discussed above, Gabai and Papineni, either alone or in combination, do not disclose or suggest each and every element in claim 60 and 67. More specifically, Gabai and Papineni, either alone or in combination, do not disclose that the additional information is added

before the beginning of the translated text or after the end of the translated text.

Applicants submit that Uwakubo also fails to disclose or suggest such features.

Accordingly, Applicants respectfully request that the rejection be withdrawn and claims

65 and 71 be allowed." (Remarks, Page 15, ¶ 2) The Examiner disagrees. Gabai

provides the translation (Gabai, column 43, lines 3-19, Figs. 58 A-B) and additionally

teaches that additional information can be added to the translated material (Gabai,

column 43, lines 3-19). Papineni further provides that information can be added before

the beginning of the inputted text or after the end of the inputted text (Papineni, column

15, lines 54-67). Therefore, the combination of Gabai in view of Papineni teaches the

above claim language. Uwakubo was provided additionally to the combination of Gabai

in view of Papineni. Since Uwakubo does not teach away from the combination of Gabai

in view of Papineni, the combination of Gabai in view of Papineni and further in view of

Uwakubo additionally teach the above claimed subject matter. The argument is not

considered to be persuasive.

18. Applicant further argues "Claims 76 and 77, as amended, recites in part, that

"additional information is added before the beginning of the translated text or after the

end of the translated text." As discussed above, Papineni does not disclose such

features. Applicants submit that McAllister also fails to disclose or suggest such

features. Accordingly, Applicants respectfully request that this rejection be withdrawn."

(Remarks, Page 15, ¶ 3) In response to applicant's argument that the references fail to

show certain features of applicant's invention, it is noted that the features upon which

applicant relies (i.e., translated text) are not recited in the rejected claim(s). Although

the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

19. Applicant further argues “Additionally, Applicants respectfully submit that the Office Action fails to provide a clear articulation of the reasons why claims 76 and 77 would have been obvious. In particular, the Office Action does not provide some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to combine Papineni and McAllister to arrive at the present application.” In response to applicant’s argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). In this case, McAllister and Papineni are analogous art because both pertain to language generation. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the confirmation responses (as taught by Papineni, yes or no confirmations, column 15) with the random wording variation (as taught by McAllister) so that “random wording variations are included in the prompts as would be characteristic of a human operator.” (McAllister, Column 2, lines 28-39). The Examiner

provides that the combination would have random wording variations as would be characteristic of a human operator. The argument is not considered to be persuasive.

20. Applicant further argues "However, if "the confirmation responses" in Papineni is combined with "the random wording variation" in McAllister, as suggested by the Office Action, the conversation system in Papineni will be rendered unsatisfactory for its intended purpose. As indicated in Papineni, "Conversational systems are generally task-oriented. This means that their role is to help users achieve a specific goal in a particular application domain." Column 1, Lines 12-14. The invention in Papineni employs a dialog manager which "having task-oriented forms for associating user input information therewith, the dialog manager being capable of selecting an applicable form from the task-oriented forms responsive to the input information by scoring the forms relative to each other." Abstract.

Thus, if randomness is introduced into such a conversation system of task-oriented forms, the output (e.g., Computer's response to human's input) will be unpredictable, rendering the system unsatisfactory for its intended purpose. As indicated in MPEP, "if proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." M.P.E.P. § 2143.01(V). Accordingly, Applicants respectfully request that the rejection be withdrawn and claims 76 and 77 be allowed." (Remarks, Page 16, ¶ 1-2) The Examiner disagrees. The Applicant has blatantly misconstrued McAllister. The cited section of McAllister, column 4, lines 32-43 is directed to a pseudorandom number generator that randomly selects from a number

of content equivalent prompts" McAllister was provided in combination with Papineni to teach variably of phrasing with the content equivalent prompts to provide prompting (as taught by Papineni) that is not repetitive (the advantage of McAllister). McAllister does not rearrange the system's phrasing to randomly generate output regardless of it's meaning (as Applicant alleges). McAllister randomly varies the prompts that have the same semantic meaning to create a more human-like output. Therefore, the argument is not considered to be persuasive.

Information Disclosure Statement

21. The Information Disclosure Statement (IDS) submitted on 7/12/2011 is in compliance with the provisions of 37 CFR 1.97.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

22. Claims 60, 62-64, 66-67, 69-70, 72-75 are rejected under 35 U.S.C. 103(a) as being unpatentable by Gabai et al. (US Patent #6773344 hereinafter Gabai) in view of Papineni et al. (US Patent #6246981)

As per claim 60, Gabai teaches the method comprising:

translating text inputted from an information input device from a first language to a second language with an interpretation device (Gabai, column 43, lines 3-19, Figs. 58 A-B teach that the toy interprets the scanned information in a language not native to the user for the user's understanding.);

receiving the translated text with an information processing device (Gabai, column 43, lines 3-19, teaches that additional information can be provided to the translations (therefore, the translated text must be received to add appropriate additional information). Further, column 43, lines 35-43 teaches that the input may be full sentences);

analyzing the sentence with an information analysis device to determine information to be added comprising the steps of (Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Gabai teaches the ability to read local or ancient languages, column 43, lines 20-34 where the scanner is an information analysis unit. Information to be added is appropriate to a given situation. Column 43, lines 35-43 teaches that the input may be full sentences):

adding the additional information to the translated text with a change processing device (Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Furthermore, column 43, lines 35-50 gives examples, one of which is that the user inputs a menu and then toy subsequently

explains the cultural significance of the dishes. Figs .14 and 70 show that the output can be processed and generated from the internal toy process or an external computer/server depending on the complexity of the input/operation.);

outputting the translated text to which the information is added with an information reproducing device (Gabai, column 53, lines 26-36, ... *Their response includes, but is not limited to sound (including voice)... Fig. 66, 8085*).

Gabai fails to specifically teach classifying the sentence as one of a plurality of types of sentences, the plurality of types of sentences including a question and an explanation; selecting a category of additional information related to the type of sentence, the category being an expression which is suitable to the type of sentence; selecting additional information in the selected category; and adding the additional information so that the additional information is added before the beginning of the text or after the end of the text.

However, Papineni teaches classifying the sentence as one of a plurality of types of sentences, the plurality of types of sentences including a question and an explanation (Papineni, column 15, lines 10-31, the example shows input questions and explanations, see ... *how about the vanguard index...* (question), and ... *i want to buy one hundred shares...* (explanation). Additionally, column 15, lines 54-67 notes that the user asks "I would like to transfer five thousand dollars" (explanation), which includes the sentence "transfer five thousand dollars" which is further included in the response (as a confirmation question) below on lines 59-62.);

selecting a category of additional information related to the type of sentence, the category being an expression which is suitable to the type of sentence (Papineni, column 15, lines 19-31, shows selection of additional information related to the type of sentence through a confirmation, *...confirming purchase of one hundred Shares of vanguard index trust total stock market institutional shares. please say yes or no (fund name from context)...* Column 15, lines 54-67 also show this confirmation of a transfer.); and

selecting additional information in the selected category (Papineni, column 15, lines 54-67, selects additional information by providing specific confirmations of the index or fund, *...confirming transfer of five thousand dollars from fidelity magellan to vanguard index trust fund five hundred. please say yes or no...* The selected additional information is the type of action and fund for the category of additional information (confirmation). Additionally, note the confirmation is in two forms, first being the "confirming transfer" at the beginning of the response, second being "please say yes or no" at the end of the response.); and

adding the additional information to the text with a change processing device so that the additional information is added before the beginning of the text or after the end of the text (Papineni, column 15, lines 54-67, *...confirming transfer of five thousand dollars from fidelity magellan to vanguard index trust fund five hundred. please say yes or no...* The confirmation (additional information added to the input text of "transfer five thousand dollars") is in two forms, first being the "confirming transfer" at the beginning of the response, second being "please say yes or no" at the end of the response.).

Gabai and Papineni are analogous art because both deal with dialog interaction between a human and machine. Therefore, It would have been obvious to someone of ordinary skill in the art at the time of the invention to apply the confirmations/clarifications of Papineni with the base process of translated dialog interaction in Gabai because the result would have been predictable in providing a machine/user dialog interaction where the machine and user have a mutual understanding of the current dialog state. Therefore, it would have been obvious to someone of ordinary skill in the art at the time of the invention was made to combine Papineni with Gabai.

As per claim 62, claim 60 is incorporated and the combination of Gabai and Papineni teaches wherein a voice synthesis device converts the translated text to which the information is added to a voice signal and outputs the voice signal (Gabai, column 43, lines 20-25, *...translate them to speech in the user/s' language...*).

As per claim 63, claim 60 is incorporated and the combination of Gabai and Papineni teaches wherein amount of information to be added is determined on the basis of an analysis result (Gabai, column 43, lines 44-50, *...translating an ancient inscription a toy offers its user a historical commentary on the period and the occasion on which it was written and the subjects it concerns...*, There is inherently a determined amount of available additional information because the database stores available additional information in the database that is retrieved based upon the analysis.).

As per claim 64, claim 60 is incorporated and the combination of Gabai and Papineni teaches where the information is prestored corresponding to a keyword (Gabai, column 46, lines 40-67, the toy listens for keywords in its analysis to understand the input and produce the appropriate response. Also, example II (columns 45-46) shows that the information is related to the input keywords.).

As per claim 66, claim 62 is incorporated and the combination of Gabai and Papineni teaches wherein the information is information for prompting a target (Gabai, columns 45-46, Example II, teaches that information is added for prompting a target using voice, column 46, lines 1-5).

As per claim 67, Gabai teaches an information processing system (Gabai, column 16, lines 7-30) comprising:

- an information input device (Gabai, Fig. 19 and column 6, lines 59-62);
- an interpretation device for translating the text inputted from the information input device from a first language to a second language and outputting the translated text, the translated text including a sentence (Gabai, column 43, lines 3-19, Figs. 58 A-B teach that the toy interprets the scanned information in a language not native to the user for the user's understanding. Column 43, lines 35-43 teaches that the input may be full sentences);

an information processing device for receiving the translated text, having an information changing unit for analyzing the sentence to determine information to be added comprising the steps of (Gabai, column 43, lines 30-35, the toy (information processing device for receiving translated text) may receive the translated information to additionally provide information. Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Therefore, the translating unit may also add translation content information. Furthermore, column 43, lines 35-50 gives examples, one of which is that the user inputs a menu and then toy subsequently explains the cultural significance of the dishes.):

adding the additional information to the translated text (Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Furthermore, column 43, lines 35-50 gives examples, one of which is that the user inputs a menu and then toy subsequently explains the cultural significance of the dishes. Figs .14 and 70 show that the output can be processed and generated from the internal toy process or an external computer/server depending on the complexity of the input/operation.);

and an information reproducing device for converting and output from the information changing unit to voice (Gabai, column 53, lines 26-36, ...*Their response includes, but is not limited to sound (including voice)...*).

Gabai fails to teach classifying the sentence as one of a plurality of types of sentences, the plurality of types of sentences including a question and an explanation; selecting a category of additional information related to the type of sentence, the category being an expression which is suitable to the type of sentence; and selecting additional information in the selected category and adding the additional information before the beginning of the text or after the end of the text.

However, Papineni teaches classifying the sentence as one of a plurality of types of sentences, the plurality of types of sentences including a question and an explanation (Papineni, column 15, lines 10-31, the example shows input questions and explanations, see *...how about the vanguard index...* (question), and *...i want to buy one hundred shares...* (explanation). Additionally, column 15, lines 54-67 notes that the user asks "I would like to transfer five thousand dollars" (explanation), which includes the sentence "transfer five thousand dollars" which is further included in the response (as a confirmation question) below on lines 59-62.);

selecting a category of additional information related to the type of sentence, the category being an expression which is suitable to the type of sentence (Papineni, column 15, lines 19-31, shows selection of additional information related to the type of sentence through a confirmation, *...confirming purchase of one hundred Shares of vanguard index trust total stock market institutional shares. please say yes or no (fund name from context)...* Column 15, lines 54-67 also show this confirmation of a transfer.);

selecting additional information in the selected category and adding the additional information before the beginning of the text or after the end of the text

(Papineni, column 15, lines 54-67, selects additional information by providing specific confirmations of the index or fund, ...*confirming transfer of five thousand dollars from fidelity magellan to vanguard index trust fund five hundred. please say yes or no...* The selected additional information is the type of action and fund for the category of additional information (confirmation). Additionally, note the confirmation is in two forms, first being the “confirming transfer” at the beginning of the response, second being “please say yes or no” at the end of the response.); and

Gabai and Papineni are analogous art because both deal with dialog interaction between a human and machine. Therefore, It would have been obvious to someone of ordinary skill in the art at the time of the invention to apply the confirmations/clarifications of Papineni with the base process of translated dialog interaction in Gabai because the result would have been predictable in providing a machine/user dialog interaction where the machine and user have a mutual understanding of the current dialog state. Therefore, it would have been obvious to someone of ordinary skill in the art at the time of the invention was made to combine Papineni with Gabai.

As per claim 69, claim 67 is incorporated and the combination of Gabai and Papineni teaches wherein the information changing unit gets an analysis result by analyzing the translated text and determined the amount of information on the basis of an analysis result (Gabai, column 43, lines 44-50, ...*translating an ancient inscription a toy offers its user a historical commentary on the period and the occasion on which it was*

written and the subjects it concerns..., There is inherently a determined amount of available additional information because the database stores available additional information in the database that is retrieved based upon the analysis.).

As per claim 70, claim 67 is incorporated and the combination of Gabai and Papineni teaches wherein the information changing unit comprises a memory device for storing the information corresponding to a keyword, extracts the keyword from the translated text and selects the information stored into the memory device on the basis of the extracted keyword (Gabai, column 43, lines 3-19 teaches that the toy can translate information and can provide further information about words and their cultural significance. Gabai, column 16, lines 7-30 further discloses the toy as a computational device which requires a memory for storing the input information for processing.).

As per claim 72, claim 66 is incorporated and the combination of Gabai and Papineni teaches wherein the information is information for prompting a target (Gabai, columns 45-46, Example II, teaches that information is added for prompting a target using voice, column 46, lines 1-5).

As per claim 73, Gabai teaches a non-transitory computer readable medium storing computer instructions for execution of a method comprising (Gabai, column 16, lines 7-30 and column 69, lines 12-15):

translating text inputted from an information input device from a first language to a second language (Gabai, column 43, lines 3-19 also see Fig. 19);

analyzing a sentence in the translated text to determine information to be added comprising the steps of: (Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Gabai teaches the ability to read local or ancient languages, column 43, lines 20-34 where the scanner is an information analysis unit. Information to be added is appropriate to a given situation. Column 43, lines 35-43 teaches that the input may be full sentences):

adding the additional information to the translated text (Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Furthermore, column 43, lines 35-50 gives examples, one of which is that the user inputs a menu and then toy subsequently explains the cultural significance of the dishes. Figs .14 and 70 show that the output can be processed and generated from the internal toy process or an external computer/server depending on the complexity of the input/operation.);

converting the translated text which the information is added, to voice (Gabai, column 53, lines 26-36, ...*Their response includes, but is not limited to sound (including voice)...* Fig. 66, 8085).

Gabai fails to specifically teach classifying the sentence as one of a plurality of types of sentences, the plurality of types of sentences including a question and an explanation; selecting a category of additional information related to the type of sentence, the category being an expression which is suitable to the type of sentence; selecting additional information in the selected category; and adding the additional information so that the additional information is added before the beginning of the text or after the end of the text.

However, Papineni teaches classifying the sentence as one of a plurality of types of sentences, the plurality of types of sentences including a question and an explanation (Papineni, column 15, lines 10-31, the example shows input questions and explanations, see *...how about the vanguard index...* (question), and *...i want to buy one hundred shares...* (explanation). Additionally, column 15, lines 54-67 notes that the user asks "I would like to transfer five thousand dollars" (explanation), which includes the sentence "transfer five thousand dollars" which is further included in the response (as a confirmation question) below on lines 59-62.);

selecting a category of additional information related to the type of sentence, the category being an expression which is suitable to the type of sentence (Papineni, column 15, lines 19-31, shows selection of additional information related to the type of sentence through a confirmation, *...confirming purchase of one hundred Shares of vanguard index trust total stock market institutional shares. please say yes or no (fund name from context)...* Column 15, lines 54-67 also show this confirmation of a transfer.); and

selecting additional information in the selected category (Papineni, column 15, lines 54-67, selects additional information by providing specific confirmations of the index or fund, ...*confirming transfer of five thousand dollars from fidelity magellan to vanguard index trust fund five hundred. please say yes or no...* The selected additional information is the type of action and fund for the category of additional information (confirmation). Additionally, note the confirmation is in two forms, first being the "confirming transfer" at the beginning of the response, second being "please say yes or no" at the end of the response.); and

adding the additional information to the text with a change processing device so that the additional information is added before the beginning of the text or after the end of the text (Papineni, column 15, lines 54-67, ...*confirming transfer of five thousand dollars from fidelity magellan to vanguard index trust fund five hundred. please say yes or no...* The confirmation (additional information added to the input text of "transfer five thousand dollars") is in two forms, first being the "confirming transfer" at the beginning of the response, second being "please say yes or no" at the end of the response.).

Gabai and Papineni are analogous art because both deal with dialog interaction between a human and machine. Therefore, It would have been obvious to someone of ordinary skill in the art at the time of the invention to apply the confirmations/clarifications of Papineni with the base process of translated dialog interaction in Gabai because the result would have been predictable in providing a machine/user dialog interaction where the machine and user have a mutual understanding of the current dialog state. Therefore, it would have been obvious to

someone of ordinary skill in the art at the time of the invention was made to combine Papineni with Gabai.

As per claim 74, Gabai teaches a terminal (Gabai, column 16, lines 7-30) comprising:

an information processing device for receiving text translated from a first language to a second language, having an information changing unit for analyzing the sentence in the translated text to determine information to be added comprising the steps of (Gabai, column 43, lines 30-35, the toy (information processing device for receiving translated text) may receive the translated information to additionally provide information. Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Therefore, the translating unit may also add translation content information. Furthermore, column 43, lines 35-50 gives examples, one of which is that the user inputs a menu and then toy subsequently explains the cultural significance of the dishes.);

adding the additional information to the translated text (Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Furthermore, column 43, lines 35-50 gives examples, one of which is that the user inputs a menu and then toy subsequently explains the cultural significance of the dishes. Figs .14 and 70 show that the output can be processed and generated from the

internal toy process or an external computer/server depending on the complexity of the input/operation.); and

an information reproducing device for converting and output from the information changing unit to voice (Gabai, column 53, lines 26-36, ... *Their response includes, but is not limited to sound (including voice)...*).

Gabai fails to teach classifying the sentence as one of a plurality of types of sentences, the plurality of types of sentences including a question and an explanation; selecting a category of additional information related to the type of sentence, the category being an expression which is suitable to the type of sentence; and selecting additional information in the selected category and adding the information before the beginning of the text or after the end of the text.

However, Papineni teaches classifying the sentence as one of a plurality of types of sentences, the plurality of types of sentences including a question and an explanation (Papineni, column 15, lines 10-31, the example shows input questions and explanations, see ... *how about the vanguard index...* (question), and ... *i want to buy one hundred shares...* (explanation). Additionally, column 15, lines 54-67 notes that the user asks "I would like to transfer five thousand dollars" (explanation), which includes the sentence "transfer five thousand dollars" which is further included in the response (as a confirmation question) below on lines 59-62.);

selecting a category of additional information related to the type of sentence, the category being an expression which is suitable to the type of sentence (Papineni,

column 15, lines 19-31, shows selection of additional information related to the type of sentence through a confirmation, ...*confirming purchase of one hundred Shares of vanguard index trust total stock market institutional shares. please say yes or no (fund name from context)*... Column 15, lines 54-67 also show this confirmation of a transfer.); selecting additional information in the selected category and adding the additional information before the beginning of the text or after the end of the text (Papineni, column 15, lines 54-67, selects additional information by providing specific confirmations of the index or fund, ...*confirming transfer of five thousand dollars from fidelity magellan to vanguard index trust fund five hundred. please say yes or no*... The selected additional information is the type of action and fund for the category of additional information (confirmation). Additionally, note the confirmation is in two forms, first being the “confirming transfer” at the beginning of the response, second being “please say yes or no” at the end of the response.); and

Gabai and Papineni are analogous art because both deal with dialog interaction between a human and machine. Therefore, It would have been obvious to someone of ordinary skill in the art at the time of the invention to apply the confirmations/clarifications of Papineni with the base process of translated dialog interaction in Gabai because the result would have been predictable in providing a machine/user dialog interaction where the machine and user have a mutual understanding of the current dialog state. Therefore, it would have been obvious to someone of ordinary skill in the art at the time of the invention was made to combine Papineni with Gabai.

As per claim 75, Gabai teaches a server comprising (Gabai, abstract, teaches that the toy can use cellular technology which is well known in the art to be able to independently process input as well as process the input through a server.);

a communication device for communicating with a terminal (Gabai, column 16, lines 18-31 teaches a connection link that establishes a data link over a network to the toy where it is at least partly wireless. Fig. 3 further describes how network connected servers may be linked to the toy. The servers require a communication device (e.g. wireless network card) for the wireless link.);

an information processing device for translating text received through the communication device from first language to second language (Gabai, column 43, lines 20-34, A server (information processing device for receiving inputted text) may receive the scanned information to translate (information changing unit supplied by server) the message with greater computing power. Gabai, column 43, lines 3-19, Figs. 58 A-B teach that the toy interprets the scanned information in a language not native to the user for the user's understanding.);

an information changing unit for analyzing the text translated to the second language, determining information to be added on the basis of the analysis result comprising the steps of (Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Therefore, the translating unit may also add translation content information. Gabai teaches the ability to read local or ancient

languages, column 43, lines 20-34 where the scanner is an information analysis unit. Information to be added is appropriate to a given situation.);

adding the information to the text translation (Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Furthermore, column 43, lines 35-50 gives examples, one of which is that the user inputs a menu and then toy subsequently explains the cultural significance of the dishes. Figs .14 and 70 show that the output can be processed and generated from the internal toy process or an external computer/server depending on the complexity of the input/operation.);

transmitting an output from information changing unit through the communication device (Gabai, column 43, lines 20-34 teaches that the server may do the translating because it has a higher computation ability. Further see Figs. 58 a-d where the toy acts as a translation device. The toy outputs the translation results and therefore the translations have been transmitted back to the toy through the communication device.)

Gabai fails to teach classifying the sentence as one of a plurality of types of sentences, the plurality of types of sentences including a question and an explanation; selecting a category of additional information related to the type of sentence, the category being an expression which is suitable to the type of sentence; and selecting additional information in the selected category and adding the information before the beginning of the text or after the end of the text.

However, Papineni teaches classifying the sentence as one of a plurality of types of sentences, the plurality of types of sentences including a question and an explanation (Papineni, column 15, lines 10-31, the example shows input questions and explanations, see *...how about the vanguard index...* (question), and *...i want to buy one hundred shares...* (explanation). Additionally, column 15, lines 54-67 notes that the user asks "I would like to transfer five thousand dollars" (explanation), which includes the sentence "transfer five thousand dollars" which is further included in the response (as a confirmation question) below on lines 59-62.);

selecting a category of additional information related to the type of sentence, the category being an expression which is suitable to the type of sentence (Papineni, column 15, lines 19-31, shows selection of additional information related to the type of sentence through a confirmation, *...confirming purchase of one hundred Shares of vanguard index trust total stock market institutional shares. please say yes or no (fund name from context)...* Column 15, lines 54-67 also show this confirmation of a transfer.);

selecting additional information in the selected category and adding the information before the beginning of the text or after the end of the text (Papineni, column 15, lines 54-67, selects additional information by providing specific confirmations of the index or fund, *...confirming transfer of five thousand dollars from fidelity magellan to vanguard index trust fund five hundred. please say yes or no...* The selected additional information is the type of action and fund for the category of additional information (confirmation). Additionally, note the confirmation is in two forms,

first being the “confirming transfer” at the beginning of the response, second being “please say yes or no” at the end of the response.).

Gabai and Papineni are analogous art because both deal with dialog interaction between a human and machine. Gabai provides the base process of translated dialog interactions between the toy and the user and Papineni provides confirmations/clarifications to a dialog process. Therefore, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the translation processing with additional information (as taught by Gabai) with the dialog confirmation additions (as taught by Papineni) because the result would have been predictable in providing a translation machine/user dialog interaction where the machine and user have a mutual understanding of the translation. Therefore, it would have been obvious to someone of ordinary skill in the art at the time of the invention was made to combine Papineni with Gabai.

23. Claims 65 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable by Gabai et al. (US Patent #6773344 hereinafter Gabai) in view of Papineni et al. (US Patent #6246981) and further in view of Uwakubo. (US Patent #6513011).

As per claim 65, claim 62 is incorporated and the combination of Gabai and Papineni fail to specifically teach further comprising analyzing reaction time of a target for which the voice is output and determining the information on the basis of the analysis result with the information analysis unit.

However, Uwakubo teaches further comprising analyzing reaction time of a target for which the voice is output (Uwakubo, columns 7-8, lines 63-67 and 1-8, ...*a time period is clocked in some times, from a time when a reaction is presented to the output unit 360 (to the user) to another time when the user starts action in response to the presented reaction...*).

and determining the information on the basis of the analysis result with an information analysis unit (Uwakubo, column 8, lines 21-31, ...*generate reactions or suspends the generating of the reactions, based on instructions from the conversation manage unit 330...* A reaction is generated based upon the reaction time of the user.).

Uwakubo, Gabai, and Papineni are analogous art because all pertain to dialog interactions. Therefore, it would have been obvious to modify information analysis unit (as taught by the combination of Gabai and Papineni) with the conversation manage unit (with the clock unit in combination with the recognition unit) to analyze user reaction time (as taught by Uwakubo) to present output in a desired natural manner in response to the user input to make natural conversation (Uwakubo, column 4, lines 10-19).

As per claim 71, claim 67 is incorporated and the combination of Gabai and Papineni fails to teach wherein the information changing unit analyzes reaction time of a target for which the voice is output and determines the information on the basis of the reaction time.

However, Uwakubo teaches wherein an information changing unit analyzes reaction time of a target for which the voice is output and determines the information on

the basis of the reaction time (Uwakubo, columns 7-8, lines 63-67 and 1-8, ...*a time period is clocked in some times, from a time when a reaction is presented to the output unit 360 (to the user) to another time when the user starts action in response to the presented reaction...*).

Uwakubo, Gabai, and Papineni are analogous art because all pertain to dialog interactions. Therefore, it would have been obvious to modify information changing unit (as taught by the combination of Gabai and Papineni) with the conversation manage unit (with the clock unit in combination with the recognition unit) to analyze user reaction time (as taught by Uwakubo) to present output in a desired natural manner in response to the user input to make natural conversation (Uwakubo, column 4, lines 10-19).

24. Claims 76-77 are rejected under 35 U.S.C. 103(a) as being unpatentable by Gabai et al. (US Patent # 6773344) in view of Papineni et al. (US Patent #6246981) and further in view of McAllister et al. (US Patent #6385584)

As per claim 76, Gabai teaches translating inputted text from an information input device from a first language to a second language (Gabai, column 43, lines 3-19); analyzing the sentence with an information analysis device to determine information to be added comprising the steps of (Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Gabai teaches the ability to read local or ancient languages, column 43, lines 20-34 where the scanner is

an information analysis unit. Information to be added is appropriate to a given situation. Column 43, lines 35-43 teaches that the input may be full sentences):

outputting the translated text to which the information is added with an information reproducing device (Gabai, column 53, lines 26-36, ... *Their response includes, but is not limited to sound (including voice)...* Fig. 66, 8085).

Gabai fails to teach adding the additional information to the text so that the additional information is added before the beginning of the text or after the end of the text.

However, Papineni teaches adding the additional information to the text so that the additional information is added before the beginning of the text or after the end of the text (Papineni, column 15, lines 54-67, ... *confirming transfer of five thousand dollars from fidelity magellan to vanguard index trust fund five hundred. please say yes or no...* The confirmation (additional information added to the input text of "transfer five thousand dollars") is in two forms, first being the "confirming transfer" at the beginning of the response, second being "please say yes or no" at the end of the response.); and

Gabai and Papineni are analogous art because both deal with dialog interaction between a human and machine. Therefore, It would have been obvious to someone of ordinary skill in the art at the time of the invention to apply the confirmations/clarifications of Papineni with the base process of translated dialog interaction in Gabai because the result would have been predictable in providing a

machine/user dialog interaction where the machine and user have a mutual understanding of the current dialog state.

The combination of Gabai in view of Papineni fails to teach generating a random number; and selecting additional information that corresponds to the random numbers.

However, McAllister teaches generating a random number (McAllister, column 4, lines 32-44);

and selecting additional information that corresponds to the random numbers (McAllister, column 4, lines 32-44, the random numbers are scaled to the number of voice message variations available for a particular prompt);

McAllister, Gabai, Papineni are analogous art because all pertain to language generation. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the confirmation responses (as taught by the combination of Gabai in view of Papineni, see Papineni yes or no confirmations, column 15) with the random wording variation (as taught by McAllister) so that “random wording variations are included in the prompts as would be characteristic of a human operator.” (McAllister, Column 2, lines 28-39)

As per claim 77, Gabai teaches an information processing system (Gabai, column 16, lines 7-30) comprising:

an information input device (Gabai, Fig. 19 and column 6, lines 59-62);

an interpretation device for translating the text inputted from the information input device from a first language to a second language and outputting the translated text, the translated text including a sentence (Gabai, column 43, lines 3-19, Figs. 58 A-B teach that the toy interprets the scanned information in a language not native to the user for the user's understanding. Column 43, lines 35-43 teaches that the input may be full sentences);

an information processing device for receiving the translated text, having an information changing unit for analyzing the sentence to determine information to be added comprising the steps of (Gabai, column 43, lines 30-35, the toy (information processing device for receiving translated text) may receive the translated information to additionally provide information. Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Therefore, the translating unit may also add translation content information. Furthermore, column 43, lines 35-50 gives examples, one of which is that the user inputs a menu and then toy subsequently explains the cultural significance of the dishes.):

adding the additional information to the translated text (Gabai, column 43, lines 3-19, ...*It is preferred, in such cases, that a toy not merely translate but combine its translations with other types of content that is appropriate to the given situation...* Furthermore, column 43, lines 35-50 gives examples, one of which is that the user inputs a menu and then toy subsequently explains the cultural significance of the dishes. Figs .14 and 70 show that the output can be processed and generated from the

internal toy process or an external computer/server depending on the complexity of the input/operation.);

and an information reproducing device for converting and output from the information changing unit to voice (Gabai, column 53, lines 26-36, ... *Their response includes, but is not limited to sound (including voice)...*).

Gabai fails to teach adding the additional information to the text so that the additional information is added before the beginning of the text or after the end of the text.

However, Papineni teaches adding the additional information to the text so that the additional information is added before the beginning of the text or after the end of the text (Papineni, column 15, lines 54-67, ... *confirming transfer of five thousand dollars from fidelity magellan to vanguard index trust fund five hundred. please say yes or no...* The confirmation (additional information added to the input text of "transfer five thousand dollars") is in two forms, first being the "confirming transfer" at the beginning of the response, second being "please say yes or no" at the end of the response.); and

Gabai and Papineni are analogous art because both deal with dialog interaction between a human and machine. Therefore, It would have been obvious to someone of ordinary skill in the art at the time of the invention to apply the confirmations/clarifications of Papineni with the base process of translated dialog interaction in Gabai because the result would have been predictable in providing a

machine/user dialog interaction where the machine and user have a mutual understanding of the current dialog state.

The combination of Gabai in view of Papineni fails to teach generating a random number; and selecting additional information that corresponds to the random numbers.

However, McAllister teaches generating a random number (McAllister, column 4, lines 32-44);

and selecting additional information that corresponds to the random numbers (McAllister, column 4, lines 32-44, the random numbers are scaled to the number of voice message variations available for a particular prompt);

McAllister, Gabai, Papineni are analogous art because all pertain to language generation. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the confirmation responses (as taught by the combination of Gabai in view of Papineni, see Papineni yes or no confirmations, column 15) with the random wording variation (as taught by McAllister) so that “random wording variations are included in the prompts as would be characteristic of a human operator.” (McAllister, Column 2, lines 28-39).

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to PTO-892, Notice of References Cited for a listing of analogous art.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GREG A. BORSETTI whose telephone number is (571)270-3885, (FAX: 571-270-4885). The examiner can normally be reached on Monday - Friday (8am - 5pm Eastern Time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHMOND DORVIL can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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